IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 19TH JUNE 2007 / 29TH JYAISHTA 1929

WP(C).No. 17194 of 2007(V)

PETITIONER:

B.SUKUMARA PILLAI,
LECTURER IN ELECTRICAL ENGINEERING,
GOVERNMENT PLYTECHNIC COLLEGE, ADOOR,
PATHANAMTHITTA DISTRICT.

BY ADV. SRI.V.AJITH NARAYANAN

RESPONDENTS:

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1. THE DIRECTOR OF TECHNICAL EDUCATION,
DIRECTORATE OF TECHNICAL EDUCATION,
THIRUVANANTHAPURAM-23.

2. STATE OF KERALA, REPRESENTED BY THE
CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM.

3. KESAVA KURUP, LECTURER IN ELECTRICAL
ENGINEERING, GOVERNMENT POLYTECHNIC COLLEGE,
PERINTHALMANNA.

4. THE SENIOR JOINT DIRECTOR (PS),
DIRECOTRATE OF TECHNICAL EDUCATION,
THIRUVANANTHAPURAM-23.

BY GOVT. PLEADER SMT. M.R. SREELATHA
ADV. SRI.S.HARIKRISHNAN
SRI.P.S.SREEDHARAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO 17194/07

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1. COPY OF THE ORDER G.O.(P) NO. 12/04/P & ARD DATED THIRUVANANTHAPURAM 10/9/2004

EXT.P2. COPY OF THE LETTER DT. 7.1.06 FROM THE ADMINISTRATIVE OFFICER, INDIAN MILITARY ACADEMY DEHRA DUN TO THE 1ST RESPONDENT INCLUDED WITH THE LETTER OF B. HARI KUMAR TO THE 1ST RESPONDENT

EXT.P3. COPY OF THE JUDGMENT DT. 24.5.07 IN W.P.(C). NO.15429/07 BY THE HON'BLE HIGH COURT OF KERALA

EXT.P4. COPY OF THE ORDER NO. EC5/5754/07 DATED, THIRUVANANTHAPURAM, 28.5.07

EXT.P5. COPY OF THE REPRESENTATION DT. 1.6.07 BY THE PETITIONER TO THE 1ST RESPONDENT

/TRUE COPY/

PA TO JUDGE.

A.K. BASHEER, J.

W.P.(C). NO. 17194 OF 2007

Dated this the 19th day of June, 2007

J U D G M E N T

Having heard learned counsel for the parties and having perused the materials placed on record, I am of the view that the writ petition can be disposed of without going into the merit of the rival contentions. Learned counsel for the petitioner prays for a direction to respondent No.1 to take a decision on Ext.P5 representation submitted by the petitioner in which he is stated to have highlighted all his grievances. Though learned counsel for respondent No.3 has got some reservations about the said request, he submits that in the event of a direction being issued to respondent No.1 to consider Ext.P5, respondent No.3 may also be heard.

In the above facts and circumstances, the writ petition is disposed of with a direction to respondent No.1 to consider and pass orders on Ext.P5 in the light of the relevant orders/circulars governing the field. Respondent No.1 shall ensure that petitioner and respondent No.3 and all others who are likely to be affected by the orders that may be passed in the matter, are afforded sufficient

opportunity to be heard before a decision is taken on Ext.P5. Respondent No.1 shall take a decision on Ext.P5, as expeditiously as possible at any rate within three weeks from the date of receipt of a copy of this judgment. Petitioner and respondent No.3 shall join duty at their respective stations where they have been posted in terms of Ext.P4 order, within seven days from today.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007